

EDUCATION CABINET
Kentucky Board of Education
Department of Education
(Amendment)

704 KAR 3:305. Minimum requirements for high school graduation.

RELATES TO: KRS 156.160(1)(a), (c), 158.645, 158.6451

STATUTORY AUTHORITY: KRS 156.070, 156.160(1)(a), (c)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.160 requires the Kentucky Board of Education to promulgate administrative regulations relating to the courses of study for the different grades and the minimum requirements for high school graduation. The content standards for the courses of study are described in the Kentucky core academic standards[program of studies], 704 KAR 3:303. This administrative regulation establishes the minimum requirements necessary for entitlement to a high school diploma, including the requirements beginning with the graduating class of 2012.

Section 1. Until the graduating class of 2012, each student in a common school shall complete an individual learning plan which incorporates emphasis on career development and shall have a total of at least twenty-two (22) credits for high school graduation. Those credits shall include the following minimum requirements:

- (1) Language arts: Four (4) credits (including English I, II, III, and IV;
- (2) Social studies: three (3) credits (to incorporate U.S. History, Economic, Government, World Geography, and World Civilization;
- (3) Mathematics: three (3) credits (including Algebra I, Geometry, and one (1) elective as provided in the program of studies, 704 KAR 3:303);
- (4) Science: three (3) credits (including life science, physical science, and earth and space science as provided in the program of studies, 704 KAR 3:303;
- (5) Health: one-half (1/2) credit;
- (6) Physical education: one-half (1/2) credit;
- (7) History and appreciation of visual and performing arts (or another arts course which incorporates this content): one (1) credit; and
- (8) Electives: seven (7) credits.

Section 2. Beginning with the graduating class of 2012, each student in a common school shall have a total of at least twenty-two (22) credits for high school graduation. Those credits shall include the content standards as provided in the Kentucky core academic standards[program of studies], 704 KAR 3:303. Additional standards-based learning experiences shall align to the student's individual learning plan and shall consist of standards-based content. The required credits and demonstrated competencies shall include the following minimum requirements:

(1) Language arts - four (4) credits (English I, II, III, and IV) to include the content contained in the Kentucky core academic standards for English/language arts[~~strands of reading, writing, speaking, listening, observing, inquiry, conventions, analysis, and using technology as a communication tool~~].

(a) Language arts shall be taken each year of high school;

(b) If students do not meet the college readiness benchmarks for English/language arts as established by the Council on Postsecondary Education in 13 KAR 2:020, an English/language arts transitional course or intervention, which shall be monitored to address remediation needs, shall be required before exiting high school;

(2) Social studies - three (3) credits to include the content contained in the Kentucky core academic standards for social studies [strands of historical perspective, including U.S. History, geography, economics, government and civics, and cultures and societies];

(3) Mathematics - four (4) courses of mathematics, three (3) credits shall[~~to~~] include the content contained in the Kentucky core academic standards for mathematics[~~strands of number property and operation, measurement, geometry, data analysis and probability, and algebraic thinking,~~] and include[including] the following minimum requirements:

(a) [One (1) mathematics course taken each year of high school to ensure readiness for postsecondary education or the workforce based on the student's individual learning plan;

(b) Required courses shall include] Algebra I, Geometry, and Algebra II. An integrated, applied, interdisciplinary, occupational, or technical course that prepares a student for a career path based on the student's individual learning plan may be substituted for a traditional Algebra I, Geometry, or Algebra II course on an individual student basis if the course meets the content standards in the Kentucky core academic standards[program of studies], 704 KAR 3:303;

(b) A mathematics course or its equivalent as determined by the district shall be taken each year of high school to ensure readiness for postsecondary education or the workforce.

(c) If students do not meet the college readiness benchmarks for mathematics as established by the Council on Postsecondary Education in 13 KAR 2:020, a mathematics transitional course or intervention which shall be monitored to address remediation needs shall be required before exiting high school; and

(d) and

(e) Prealgebra shall not be counted as one (1) of the three (3) required mathematics credits for high school graduation but may be counted as an elective;

(4) Science - three (3) credits that shall incorporate lab-based scientific investigation experiences and include the content contained in the Kentucky core academic standards for health[~~strands of biological science, physical science, earth and space science, and unifying concepts~~];

(5) Health - one-half (1/2) credit to include the content contained in the Kentucky core academic standards for health[~~strands of individual well-being, consumer decision, personal wellness, mental wellness, and community services~~];

(6) Physical education - one-half (1/2) credit to include the content contained in the Kentucky core academic standards for physical education~~[strands of personal wellness, psychomotor, and lifetime activity];~~

(7) History and appreciation of visual and performing arts (or another arts course which incorporates this content) - one (1) credit to include the content contained in the Kentucky core academic standards for arts and humanities~~[strands of arts, dance, music, theatre, and visual arts,] or a standards-based specialized arts course based on the student's individual learning plan;~~

(8) Academic and career interest standards-based learning experiences - seven (7) credits including four (4) standards-based learning experiences in an academic or career interest based on the student's individual learning plan; and

(9) Demonstrated performance-based competency in technology.

Section 3. (1) A local board of education may substitute an integrated, applied, interdisciplinary, occupational, technical, or higher level course for a required course if the alternative course provides rigorous content and addresses the same applicable components of 703 KAR 4:060.

(2) For students with disabilities, a local board of education may substitute a functional, integrated, applied, interdisciplinary, occupational, technical, or higher level course for a required course if the alternative course provides rigorous content and addresses the same applicable components of 703 KAR 4:060. These shall be based on grade-level content standards and may be modified to allow for a narrower breadth, depth, or complexity of the general grade-level content standards.

Section 4. (1) A district shall implement an advising and guidance process throughout the middle and high schools to provide support for the development and implementation of an individual learning plan for each student. The plan shall include career development and awareness and specifically address Vocational Studies Academic Expectations 2.36-2.38 as established in Academic expectations, 703 KAR 4:060.

(2) A district shall develop a method to evaluate the effectiveness and results of the individual learning plan process. The evaluation method shall include input from students, parents, and school staff. As part of the evaluation criteria, the district shall include indicators related to the status of the student in the twelve (12) months following the date of graduation.

(3) A feeder middle school and a high school shall work cooperatively to ensure that each student and parent shall receive information and advising regarding the relationship between education and career opportunities. Advising and guidance shall include information about financial planning for postsecondary education.

(4) A school shall maintain each student's individual learning plan. The individual learning plan shall be readily available to the student and parent and reviewed and approved at least annually by the student, parents, and school officials.

(5) Beginning with a student's eighth grade year, the individual learning plan shall set learning goals for the student based on academic and career interests and shall identify required academic courses, electives, and extracurricular opportunities aligned to the student's postsecondary goals. The school shall use information from the individual learning plans about student needs for academic and elective courses to plan academic and elective offerings.

(6) Beginning with the graduating class of 2013, the development of the individual learning plan for each student shall begin by the end of the sixth grade year and shall be focused on career exploration and related postsecondary education and training needs.

Section 5. (1) A board of education may award credit toward high school graduation for satisfactory demonstration of learning based on content standards described in the Kentucky core academic standards~~[program of studies]~~, 704 KAR 3:303, and a rigorous performance standards policy established by the board of education. A school shall establish performance descriptors and evaluation procedures to determine if the content and performance standards have been met.

(2) A board of education shall award credit toward high school graduation based on:

(a) A standards-based Carnegie unit credit that shall consist of at least 120 hours of instructional time in one subject; or

(b) A standards-based performance-based credit, regardless of the number of instructional hours in one (1) subject.

(3) A local board of education which has chosen to award standards-based performance-based credit shall award a standards-based credit earned by a student enrolled in grade 5, 6, 7 or 8 if:

(a) The content of the course is the same that is established in the Kentucky core academic standards~~[Program of studies]~~, 704 KAR 3:303; and

(b) The district has criteria in place to make a reasonable determination that the middle level student is capable of success in the high school course.

(4) A board of education which has chosen to award standards-based performance-based credit shall establish a policy for a performance-based credit system that includes, at least:

(a) The procedures for developing performance-based credit systems and for amending the system;

(b) The conditions under which each high school may grant performance-based credits and the related performance descriptors and assessments;

(c) Objective grading and reporting procedures;

(d) Content standards as addressed in 704 KAR 3:303, Kentucky core academic standards~~[Program of studies]~~, and 703 KAR 4:060, Academic expectations;

(e) The extent to which state-provided assessments will be used in the local performance-based credit system;

(f) The ability for students to demonstrate proficiency and earn credit for learning acquired outside of school or in prior learning; and

(g) Criteria to ensure that internships, cooperative learning experiences, and other learning experiences in the school and community are:

1. Designed to further student progress towards the individual Learning plan;

2. Supervised by qualified instructors; and

3. Aligned with state and local content and performance standards.

(5) A board of education may award standards-based, performance-based credit toward high school graduation for:

(a) Standards-based course work that constitutes satisfactory demonstration of learning in any high school course, consistent with Section 1 or 2 of this administrative regulation;

(b) Standards-based course work that constitutes satisfactory demonstration of learning in a course for which the student failed to earn credit when the course was taken previously;

(c) Standards-based portfolios, senior year or capstone projects;

(d) Standards-based online or other technology mediated courses;

(e) Standards-based dual credit or other equivalency courses; and

(f) Standards-based internship, cooperative learning experience, or other supervised experience in the school and the community.

(6) Each local board of education shall maintain a copy of its policy on high school graduation requirements. This policy shall include a description of how the requirements address KRS 158.6451(1)(b) and 703 KAR 4:060.

Section 6. (1) A student who satisfactorily completes the requirements of this administrative regulation and additional requirements as may be imposed by a local board of education shall be awarded a graduation diploma.

(2) The local board of education shall award the diploma.

Section 7. This administrative regulation shall not be interpreted as prohibiting a local governing board, superintendent, principal or teacher from awarding special recognition to a student.

Section 8. (1) Until the graduating class of 2012, if the severity of an exceptional student's disability precludes a course of study leading to receipt of a diploma, an alternative program shall be offered. This program shall be based upon student needs, as specified in the individual educational plan, and shall be reviewed at least annually. A student who completes this course of study shall be recognized for achievement. This may be accomplished by the local board of education awarding a certificate.

(2) Beginning with the graduating class of 2012, if the severity of an exceptional student's disability precludes a course of study that meets the high school graduation requirements established in Section 2 of this administrative regulation leading to receipt of a high school diploma, an alternative course of study shall be offered. This course of study shall be based upon student needs and the provisions specified in 704 KAR 3:303, Kentucky core academic standards[Program of studies], and shall be reviewed at least annually. A student who completes this course of study shall receive a certificate of attainment to be awarded by the local board of education consistent with the graduation practices for all students.

TERRY HOLLIDAY, PH.D., Commissioner

JOE BROTHERS, Chairperson

APPROVED BY AGENCY: June 15, 2010

FILED WITH LRC: June 15, 2010 at noon

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this proposed administrative regulation shall be held on July 28, 2010 at 10 a.m. in the State Board Room, 1st Floor, Capital Plaza Tower, 500 Mero Street, Frankfort, Kentucky. Individuals interested in being heard at this meeting shall notify this agency in writing five working days prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until August 2, 2010. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to:

CONTACT PERSON: Kevin C. Brown, General Counsel, Kentucky Department of Education, 500 Mero Street, First Floor, Capital Plaza Tower, Frankfort, Kentucky 40601, phone (502) 564-4474, fax (502) 564-9321.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Kevin Brown

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the minimum high school graduation requirements for students. The regulation includes existing high school graduation requirements and new graduation requirements for students beginning in 2012.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to implement provisions of KRS 156.160 and 158.645.

(c) How this administrative regulation conforms to the content of the authorizing statute: This administrative regulation provides the minimum high school graduation requirements in accordance with KRS 156.160 and 158.645.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation provides guidelines and minimum requirements for local districts to meet the educational goals and capacities required of students in Kentucky's public education system as defined by KRS 158.645.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: The amendment to 704 KAR 3:305 includes the following: The name of the required program of studies is being changed to Kentucky Core Academic Standards. An additional requirement is being added in English/language arts and mathematics for students who don't meet the benchmarks as determined by the Council on Postsecondary Education in those content areas, student must take a transition course or be provided intervention service to ensure they are college ready. Districts may substitute an equivalent experience for mathematics once the student has completed Algebra I, Algebra II, and Geometry.

(b) The necessity of the amendment to this administrative regulation: This regulation is being amended to increase the rigor of secondary education for all students in Kentucky schools to help increase the success of students in postsecondary education and training.

(c) How the amendment conforms to the content of the authorizing statute: KRS 156.645 identifies the capacities required of students in the public education system. This regulation further establishes the content requirements that will allow and assist all students to acquire those capacities.

(d) How the amendment will assist in the effective administration of the statutes: 704 KAR 3:305 establishes the required content that must be provided to students in order to meet the minimum high school graduation requirements.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: All local districts and schools must ensure the content established in 704 KAR 3:305 is provided to each student prior to high school graduation. Institutions of higher education will also be impacted because students will come better prepared for credit bearing course work. Parents and students will be impacted because remediation experiences in mathematics and English/language arts will take place in the high school, free of charge, instead of at the college level at a cost to families.

(4) Provide an assessment of how the above group or groups will be impacted by either the implementation of this administrative regulation, if new, or by the change if it is an amendment: Local districts and schools will revise course offerings and available educational opportunities to ensure students have access to required content. Institutions of higher education will also be impacted because students will come better prepared for credit bearing course work. Parents and students will be impacted because remediation experiences in mathematics and English/language arts will take place in the high school, free of charge, instead of at the college level at a cost to families.

(5) Provide an estimate of how much it will cost to implement this administrative regulation:

(a) Initially: There will be no additional costs to the agency or school districts to implement this administrative regulation. Districts and schools will use existing funding to implement the regulation.

(b) On a continuing basis: There will be some additional costs to the agency to implement this administrative regulation. KDE will be working with partners to develop transitional courses and intervention modules to provide to districts and school at no or nominal cost.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: General funds?

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new or by the change if it is an amendment: This regulation does not relate to fees.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This administrative regulation does not establish fees or directly or indirectly increase any fee.

(9) TIERING: Is tiering applied? Tiering was not appropriate in this administrative regulation because the administrative regulation applies equally to all those individuals or entities regulated by it.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

1. Does this administrative regulation relate to any program, service, or requirements of a state or local government (including cities, counties, fire departments, or school districts)? Yes

2. What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? Kentucky Department of Education and School districts.

3. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 156.160 and 158.645

4. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. There will be no additional revenue generated by this administrative regulation. The amount of dollars expended by the State for this administrative regulation will be in the development of modules for transitional courses and we anticipate SREB grant funds for that work. In order to develop modularized courses that meet the needs of our students, we estimate \$25,000 per course to develop from scratch. This amount includes, project management, content specialists, course designers, technology specialists, planning, research, face-to-face meetings, and an estimated 500 hours of total work (\$25 to \$50 an hour depending on type of work). An estimated seat cost for the courses is currently \$330 per student per course. This cost can change by as much as \$100 (\$230 per student per course) depending on popularity and enrollments. School district may be asked to pay a nominal fee for access to the transitional courses if they want to use a virtual teacher to deliver the content. By allowing flexibility with the mathematics courses beyond the requirements, this should reduce the strain on local districts to provide access significantly more mathematics courses than they are providing now.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? None

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? None

(c) How much will it cost to administer this program for the first year? KDE - \$50,000 (may be granted to us by SREB) and approximately \$8000 to hire teachers for the online traditional courses. This would be offset by the districts. Local districts- \$230-\$330 per student if use an online course, no cost if use the modules with their own teachers teaching them.

(d) How much will it cost to administer this program for subsequent years? KDE

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation: